

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

METROPOLITAN LIFE INSURANCE COMPANY,)	Case No. 8:16-cv-00540
)	
Plaintiff,)	
)	
vs.)	MOTION FOR DEFAULT JUDGMENT
)	
LUELLA P. DUNLAP, MELISSA K. EASTON,)	
JOHN D. PROKOP, individually, and as Special)	
Administrator of the Estate of Larry L. Prokop,)	
and KUNCL FUNERAL HOME, INC.)	
)	
Defendants.)	

NOW COME Defendants, Melissa K. Easton and John D. Prokop, to move the Court for a default judgment in their favor, and in support of this motion shows to the Court:

1. The Defendant Luella Dunlap is in default of pleading, and the record shows that she was properly served with process.

2. These Defendants move the Court to enter a default judgment in their favor, because they are contingent beneficiaries of their father's life insurance policy. Therefore, the money held by the Court belongs to them.

3. In the absences of any controverting evidence or pleading, this Court should conclude that the change of beneficiary form identified in the complaint, purportedly signed by the insured, Larry Prokop, was not in fact signed by him, because a highly qualified hand writing expert says in her affidavit, attached to Defendants' answer, that said form was not in fact signed by said Larry Prokop. In these circumstances, Defendants' Melissa K. Easton and John D. Prokop are entitled to the proceeds of the life insurance policy because the preceding beneficiary form named them as contingent beneficiaries.

4. The contents of this motion are being sworn to by John D. Prokop, and he swears under oath that his mother, whose name is on the first beneficiary forms is deceased, and predeceased his father, Larry Prokop. Therefore, John and his sister Melissa are the

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served a true and correct copy of the foregoing Motion for Default Judgment was served via United States mail, postage prepaid, on this 19th day of April, 2017, upon the following named parties or their attorneys:

Mr. John Robinson, J.D.
Metropolitan Tower Life Insurance Company
PO Box 330
Warwick, RI 02887-0330

By 

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